

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 v.) NO. 04-CR-30046-MAP
)
PASQUALE ROMEO)

MEMORANDUM AND ORDER REGARDING
DEFENDANT'S MOTION TO DISMISS
(Docket No. 159)

April 11, 2006

PONSOR, D.J.

Defendant is charged with fourteen counts of wire fraud pursuant to 18 U.S.C. § 1343, and one additional count of conspiracy to launder money in violation of 18 U.S.C. §§ 1956(h) and 1957. Defendant has moved to dismiss the superceding indictment as against him, on the ground that it fails to inform him of the nature of the charges against him with sufficient specificity. As to one count (Count 31) Defendant contends that the indictment falls outside the applicable statute of limitations.

Defendant's motion is hereby denied. The superceding indictment sets forth the elements of the offense charged and fairly informs Defendant of what he must defend against,

putting him in the position to plead an acquittal or conviction in the event of any future prosecution for the same offense. Moreover, Count 31 falls within the applicable statute of limitations, based upon the timing of the original indictment.

For the foregoing reasons, Defendant's Motion to Dismiss (Dkt No. 159) is hereby DENIED.

It is So Ordered.

A handwritten signature in black ink, reading "Michael A. Ponsor". The signature is written in a cursive style with a horizontal line underneath the name.

MICHAEL A. PONSOR
U. S. District Judge